

## CHAPTER 10

### STATE PROPERTY EVENT PERMITS

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OWNED/LEASED PROPERTY

## CHAPTER 10

REVISED MAY 2006

### STATE PROPERTY EVENT PERMITS

#### 1. GENERAL.

a. Authority. Section 14685(c)(1) of the Government Code (GC) and Title 13, Section 1850, et. seq., California Code of Regulations (CCR), authorizes and establishes policy concerning permit issuance for demonstrations, gatherings, or public assemblies and parades on state property. **Section 19990(b) GC states using state time, facilities, equipment or supplies for private gain is inconsistent and incompatible and in conflict with our duties as state officers or employees.**

b. Policy. This chapter establishes basic procedures for processing the California Highway Patrol (CHP) 398, Permit Application for Activity on State Property (Refer to Annex A). This information is provided to assist in planning and implementing specific processing requirements within each field Division (e.g., requirements for events at the Department of Motor Vehicles [DMV] offices and the Capitol) for inclusion in each Division's Standard Operating Procedures (SOPs).

2. FIELD DIVISION RESPONSIBILITIES. Field Divisions shall be responsible for screening, processing, and approving permit applications. In addition, field Division commanders have the discretion to delegate the processing of routine permit requests to the Area level. A "routine permit request" is defined as a non-controversial activity or event that does not involve the coordination of any other services (e.g., voter registration activities at DMV field offices). Field Division commanders shall determine the types of events which require field Division approval. Additionally, field Division commanders have the discretion to designate a permit coordinator at the Division and/or Area level.

3. DEPARTMENT SPONSORED EVENTS. Any charitable events which are sponsored by the Department shall adhere to existing law as cited in this chapter to prevent the use of state funds for private purposes. When appropriate, commands may participate in events which have a specific nexus to the mission of the Department. However, the use of departmental resources such as facilities and personnel should be closely scrutinized and cannot have a negative impact on day-to-day operations. Once approval is granted through the appropriate chain of command (i.e., Division, Assistant Commissioner Field/Staff), a CHP 398, Permit Application for Activity on State Property,

as well as a Memorandum of Understanding for Activity on CHP Owned/Leased Property (Annex E) shall be completed by the involved command and the charitable organization(s).

4. EVENT PERMIT PROCESS.

a. A permit must be obtained to stage an event or activity at any state building and grounds within CHP jurisdiction. "State building and grounds" is defined in the CCRs as property owned, leased, rented, controlled, used, or occupied by any department or part thereof of the Government of the State of California.

(1) Upon issuance of a permit, any person or organization may demonstrate, gather, hold public assemblies and/or parades for the purpose of expressing ideas or causes. Ideas or causes may be of a religious, artistic, political, charitable, educational, or cultural nature.

(2) A permit is not required for the distribution of leaflets, pamphlets, etc., of a non-commercial nature in or on state property.

b. A permit will be issued within ten working days of receipt of a complete and proper application, providing all of the following criteria are met:

(1) The subject activity is not a "commercial activity" as defined in Paragraph 5.c.(4)(b).

(2) The activity planned can be conducted in the designated area without creating or causing a risk of injury or illness to persons or risk of danger to property and will not impede the performance of public business to be conducted in the area.

(3) There is no conflict as to time, place, manner, and/or duration of the subject activity with activities for which permits have been issued or are pending issuance. Permits shall not be issued earlier than one calendar year prior to the planned activity.

(4) The completed application is received no later than ten working days prior to the date of the planned activity. Upon showing of good cause, a permit may be issued with less than ten working days notice, provided all other criteria are met.

(5) Insurance coverage is in effect for any hazardous activities or events on state property as deemed necessary by the CHP and the Department of General Services (DGS), Office of Risk and Insurance Management (ORIM). "Hazardous activities or events" is defined as activities or events which may

result in substantial risk of serious injury to persons or damage to property (Refer to Paragraph 9).

(6) An alcoholic beverage license is obtained from the Department of Alcohol Beverage Control (ABC) with approval from the CHP, if alcoholic beverages are to be sold and consumed on the premises (Refer to Paragraph 8).

5. DESIGNATED PERMIT COORDINATOR.

a. Responsibilities. The designated Division/Area permit coordinator shall serve as the liaison between the applicants/permittees and the Department. The permit coordinator's responsibilities include, but are not limited to, the following:

- (1) Developing a system for tracking and scheduling permit applications.
- (2) Screening and processing permit applications.
- (3) Providing information about the permit process to applicants/permittees.
- (4) Notifying interested parties of the event, including Division and Area commanders.
- (5) Coordinating additional services, if necessary.
- (6) Ensuring that permittees are in compliance with the terms of the permit.
- (7) Responding to complaints arising from permitted events.
- (8) Contacting the local ABC district office for more information prior to issuing event permits involving alcohol (Refer to Paragraph 8).
- (9) Ensuring insurance coverage is in effect (Refer to Paragraph 9).
- (10) Issuing CHP 391, State Property Activity Log (Refer to Annex D) to the hosting state agency facility manager on a monthly basis. The CHP 391 is to be returned to Division/Area at the end of the month by the facility manager.

b. Request Process. Initial requests to hold events on state property may be accepted by telephone, facsimile, in writing or in person. Requests may be received at the field Division or Area office. All completed permit applications shall be processed through the appropriate field Division based on the location of the event. As previously mentioned, field Division commanders may delegate the processing of routine permit requests to the Area level and establish criteria for

applications which require field Division approval. Requests shall be processed as follows:

- (1) Ascertain from the requester the type of activity or event and location where it is to be conducted.
- (2) Telephone reservations for permits can be made with the permit coordinator; however, it shall be explained to requesters that reservations are only considered final after a completed permit application is received and approved. Reservations are on a first-come, first-served basis and cannot be made more than one year in advance of the activity or event.
- (3) For requests received by telephone, inform the requester that an application can be picked up at any CHP field Division or Area office, or a written request may be submitted. The written request must contain the following minimum information:
  - (a) The name of the individual or group conducting the activity.
  - (b) The date of the planned activity.
  - (c) The specific requested location for the activity.
  - (d) A general description of the activity including equipment and facilities to be used, and appropriate starting and concluding times.
  - (e) Approximate number of persons expected to be in attendance.
  - (f) Names, addresses (post office box numbers are not acceptable) and telephone numbers of the security personnel who will be designated to coordinate and direct the activity. One security person shall be designated for each 50 persons expected to be in attendance (Refer to Annex B). The security personnel shall wear some uniform, distinctive emblem, insignia, or article of wearing apparel at all times during the activity for identification purposes. The emblem, insignia, or article shall be described or indicated in the request.
  - (g) Names, addresses (post office box numbers are not acceptable) and telephone numbers of persons who are responsible for clean-up of the area after the activity.
- (4) When a CHP 398, Permit Application for Activity on State Property (Refer to Annex A) is provided to a requester, a brief transmittal letter should accompany the application. The transmittal letter should provide the appropriate return address for the application, and the permit coordinator's

name and telephone number. A copy of "Rules for Events on State Property" (Annex B) should also be enclosed.

c. Application Processing. Completed applications shall be processed by the permit coordinator as follows:

(1) After ensuring that permit applications received have been delivered to the appropriate CHP office, they shall be date and time stamped. Completed applications received at an incorrect CHP office shall not be date and time stamped, but shall be forwarded to the appropriate permit coordinator within one day of receipt. Facsimile copies, immediately followed by originals to ensure the application is processed within the ten working day issuance, will satisfy this process.

(2) Applications shall be assigned a receipt confirmation number and logged into the tracking system. The requested date(s) for the event shall be scheduled with a pending notation. The receipt confirmation number shall consist of, at a minimum, the CHP location code, the year, and the next sequential number (e.g., 201-95-05). Once approved, the confirmation number becomes the permit number.

(3) Applications shall be reviewed to ensure completeness. All information requested must be supplied. Incomplete applications shall be denied and returned to the applicant with a letter explaining the deficiency(ies). Complex and/or controversial events will usually require that additional terms and conditions be added as a condition of approval. This is done through the amended permit process which is explained in Paragraph 6.

(4) The following activities are prohibited on state property:

(a) Any activity that might endanger public safety, disrupt public business, damage state grounds or buildings, or violate state and/or local laws.

(b) Commercial Activities. "Commercial activity" is defined as an activity with the primary purpose of obtaining a profit for the benefit of an individual or business entity organized for profit.

NOTE: The permit coordinator shall ascertain the nature of any activity prior to issuance of a permit.

(5) Prior to issuing a permit for an event or activity that is hazardous, involves a group representing a controversial issue, has political implications, or requires coordination of other services, the following should be notified of the application as necessary:

- (a) Governor's Office.
- (b) CHP Commissioner's Office.
- (c) Local Law Enforcement.
- (d) Local Fire Department.
- (e) Elected Officials.
- (f) State Building Managers.
- (g) Department of General Services, Office of Buildings and Grounds.
- (h) Department of General Services, Office of Risk and Insurance Management.
- (i) Other interested persons, as necessary.

NOTE: Notice to the CHP Commissioner's Office shall be by Comm-Net message. The notification process to other parties should be developed and identified in each field Division's SOP. Notification to the DGS, ORIM is described in Paragraph 9.a.

- (6) The permit coordinator will route the application to the Division commander or designee with a recommendation of approval or denial.
- (7) The pending notification in the tracking system should be replaced with the approval date. Denied applications shall also be noted (Refer to Paragraph 7).
- (8) When an application is approved, it becomes a valid event permit. One copy should be distributed to each of the following:
  - (a) The permittee.
  - (b) The affected state building manager, security coordinator or designee.
  - (c) Area office where event will be held, if required.
  - (d) Office file.
  - (e) Any other interested parties as determined by the permit coordinator.

(9) If CHP services are required, the permit coordinator will develop and finalize the reimbursable service agreement between the Department and the permittee in accordance with HPM 11.1, Chapter 6, Paragraph 4.

(10) The permit coordinator will coordinate any necessary CHP traffic control.

d. Retention Period. Approved permits should remain in an "active" file until the events/activities have concluded. Thereafter, the permits should be retained for a period of two years. Applications that have been denied or permits that have been revoked should remain in an "active file" until resolution, if necessary. Thereafter, the applications and permits should be retained for a period of two years. Due to the personal information contained in the application, all documentation should be destroyed by the confidential destruction method.

## 6. AMENDED PERMITS.

a. An amended permit is required for most events that are large, complicated or controversial. The amendment shall include all special requirements (e.g., extra security, parking, portable toilets, erection of structures, alcoholic beverages).

NOTE: For determining compliance with the ten working day issuance requirement, an application for a permit is not complete until the signed amended permit is received in the appropriate CHP office.

b. The amended permit process is as follows:

(1) The permit coordinator shall ascertain from reviewing the application and/or discussing with the applicant that an amended permit may be necessary. The permit coordinator shall discuss the proposed event/activity with the field Division commander and any other interested parties to determine any special requirements to ensure the protection and safety of state government. The affected Area commander shall be notified of any events/activities within the Area.

(2) A meeting should be held between Department representatives, any interested parties (e.g., DGS, Office of Buildings and Grounds [OBG]), and the applicant to discuss the terms of the permit and to develop a plan of action.

(3) After the meeting, an amendment to the permit shall be prepared by the permit coordinator incorporating all special terms and conditions discussed. Annex C is an example of the format that could be used for an amended permit for a large, complex event. Not all provisions shown in the example are applicable in all cases. Completed amendments should reflect any terms and conditions necessary to ensure the protection of state government.



(4) Two copies of the amendment should be returned to the applicant for signature. The original permit application should remain on file pending receipt of the signed amendment. The applicant should keep one copy of the amendment pending receipt of a fully approved permit.

(5) After securing the applicant's signature, the permit and the amendment shall be signed by the Division commander or designee.

(6) The approval date shall be noted in the scheduling calendar. The permit and amendment shall be distributed as noted in Paragraph 5.c.

## 7. DENIAL OR CANCELLATION OF PERMITS.

a. An application shall be denied if it is determined that the event or activity is prohibited on state property as described in Paragraph 5.c.(4). Further, a permit may be revoked at any time if it is determined that any of the activities are creating or causing a risk of injury or illness to persons; risk of damage and/or destruction to property; and impeding the performance of public business to be conducted in the area of the activities.

b. If an application is denied or a permit is cancelled or revoked, the applicant or permittee shall be notified in writing of the decision. The notification shall include the reasons for such denial or cancellation pursuant to Title 13 of the CCR.

c. Within five working days of the notification of denial, cancellation or revocation, the applicant or permittee may apply in writing to the Department for a review of the reasons for the denial or cancellation. The proceedings for review shall be held within five working days by the Commissioner or his designee.

d. The date of the denial/cancellation notification letter shall be logged in the tracking system.

## 8. SERVING ALCOHOLIC BEVERAGES ON STATE PROPERTY.

a. If alcoholic beverages are to be sold and consumed on the premises, an alcoholic beverage license must be obtained from the ABC with approval from the CHP.

b. For all "open" or "closed" events involving alcoholic beverages, a Permit Application for Activity on State Property must be completed (Refer to Annex A).

c. ABC must be contacted to determine if a one-day alcoholic beverage license is required. If an ABC license is not required, then the ABC employee would be required to mark "no" on the permit next to "ABC License Required" and sign their name next to the statement.

d. If a one-day alcoholic beverage license is required, the applicant shall be required to present the license to CHP.

e. If the applicant is providing alcoholic beverages to be served, but not sold, no approval licenses are required and an amended permit is adequate (Refer to Paragraph 6).

f. Applicants should contact their local ABC district office for more information regarding permits involving alcohol.

#### 9. INSURANCE BONDS.

a. The minimum acceptable limit of insurance for hazardous activities or events is \$1,000,000 per occurrence for bodily injury and property damage liability combined. A higher limit may be necessary for certain types of events or activities (e.g., skydiving exhibitions, fireworks exhibitions, carnivals, large demonstrations, events where alcohol will be served). If necessary, the permit coordinator shall contact DGS, ORIM at (916) 376-5300 to determine if an event requires insurance or if an event or activity requires a higher level of insurance. There is no fee charged by the CHP for this service; however, if DGS, ORIM conducts an in-depth risk analysis, they will assess a fee of \$75 per hour, billed to the CHP. The permittee will be required to reimburse CHP for all fees incurred..

b. The certificate of insurance provided by the permittee shall meet the following requirements:

(1) Proof of liability insurance shall be in the form of a certificate of insurance issued by an insurance company acceptable to DGS, ORIM.

NOTE: Individual permittees may be able to have a one-day rider added to their household or renter's insurance policy. This form of insurance should only be accepted if the risk is extremely low.

(2) The certificate of insurance shall state the limit of liability per occurrence for bodily injury and property damage liability combined, as determined by CHP or DGS, ORIM.

(3) The certificate of insurance shall state the following:

(a) The insurer will not cancel the insured's coverage without 30 days prior written notice to the state; and

(b) The State of California, its officers, agents, employees, and servants are included as additional insured, but only insofar as the operations under this permit are concerned.

c. The certificate of insurance shall meet any additional standards as may be determined as essential for the protection of the state.

d. Permittees may also be required to post a bond or deposit as determined by the DGS, OBG. OBG will make this determination when notified of an event (Refer to Paragraph 5.c.).

#### 10. ANNUAL WELLNESS EVENT PERMIT PROCEDURES.

a. The following protocol may be implemented by the Department of Personnel Administration to expedite the permit issuance procedures for wellness-related activities on state property.

(1) Preparation of a memorandum identifying wellness events for the entire year for each specific address where events will take place. Dates, types of events, and anticipated numbers of attendees must be included in the memorandum.

(2) Submission of a Permit Application for Activity on State Property, CHP 398 (Refer to Annex A), along with the memorandum to the local CHP Area office, for processing and approval.

(3) Postponement of a scheduled event requires a new permit be requested and approved for that specific event.

(4) When an event is open to the general public, a permit is mandatory.

(5) When a wellness-related event is open only to state employees, and no fee is required to attend the function, no permit is necessary.

# PERMIT APPLICATION FOR ACTIVITY ON STATE PROPERTY, CHP 398

STATE OF CALIFORNIA

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

## PERMIT APPLICATION FOR ACTIVITY ON STATE PROPERTY

CHP 398 (Rev. 1-08) OPI 065

ALL INFORMATION MUST BE PROVIDED  
(Attach additional sheets if necessary)

ORGANIZATION/APPLICANT NAME

ADDRESS (STREET, CITY, STATE, ZIP CODE; DO NOT USE P.O. BOX)

CONTACT PERSON

TELEPHONE NUMBER

FACSIMILE NUMBER

DATE(S) OF ACTIVITY/EVENT (MONTH, DAY, YEAR)

NUMBER OF PARTICIPANTS

IDENTIFICATION OF SECURITY (NAME, ADDRESS AND TELEPHONE NUMBER OF SECURITY PERSONNEL OR COMPANY AND DESCRIPTION OF EMBLEM OR I.D. TO BE WORN)

SPECIFIC LOCATION OF ACTIVITY

BUILDING MANAGER CONTACTED?

DEPARTMENT:

ADDRESS:

DESCRIPTION OF ACTIVITY

☐ YES

☐ NO

SET-UP TIME (a.m./p.m.)

STARTING TIME (a.m./p.m.)

ENDING TIME (a.m./p.m.)

LIST ITEMS USED FOR YOUR ACTIVITY (INCLUDE SIGNS, POSTERS, TABLES, SOUND SYSTEMS, EQUIPMENT OR OTHER ARTICLES)

CONTACT ALCOHOLIC BEVERAGE CONTROL (ABC) IF ALCOHOLIC BEVERAGES ARE TO BE SERVED.

WILL ALCOHOLIC BEVERAGES BE SERVED?

☐ YES ☐ NO

ABC LICENSE REQUIRED?

☐ YES ☐ NO

IF YES, ABC CONTACTED?

☐ YES ☐ NO

IF YES, ATTACH A COPY OF THE ABC ONE-DAY ALCOHOLIC LICENSE

IF NO, ABC EMPLOYEE SIGNATURE:

NAME(S), ADDRESS(ES) AND PHONE NUMBER(S) OF PERSON(S) RESPONSIBLE FOR CLEAN-UP AFTER ACTIVITY

Applicant accepts financial liability for any damages to state property by members of his/her party and further agrees to leave the event area clean. Applicant signature below reflects agreement with the rules governing use of state property, all terms and conditions of this permit and/or any amendments to said permit.

APPLICANT SIGNATURE

PRINT NAME

DATE

THIS APPLICATION BECOMES A PERMIT FOR ACTIVITY ON STATE PROPERTY WITH AN AUTHORIZED SIGNATURE FROM THE CALIFORNIA HIGHWAY PATROL

CHP USE ONLY

ADDITIONAL TERMS AND CONDITIONS

COMMANDER OR DESIGNEE SIGNATURE

DATE

DATE AND TIME RECEIVED

CONFIRMATION/PERMIT NUMBER

Use previous editions until depleted

c398\_106.lfp

## RULES FOR EVENTS ON STATE PROPERTY

**AUTHORITY:** Title 13 of the California Code of Regulations (CCR), Section 1850, states that the holding or conducting of any demonstration, gathering, public assembly or parade on or in state buildings and grounds is prohibited unless a permit for such activity has been issued. The Department of the California Highway Patrol (CHP) is responsible for issuing the permits. The CHP shall issue a permit upon receipt of a complete and proper application providing all of the following criteria are met:

(a) The subject activity is not a commercial activity. "Commercial activity" is defined as an activity with the primary purpose of obtaining a profit for the benefit of an individual or business entity organized for profit.

(b) The activity planned can be conducted in the area designated without creating or causing a risk of injury or illness to persons or risk of danger to property and will not impede the performance of public business.

(c) There is no conflict as to time, place, manner, and/or duration of the subject activity with other activities for which permits have been issued or are pending issuance.

(d) The completed application for the permit must be received in the appropriate CHP office no later than ten (10) working days prior to the date of the planned activity.

An amended permit may be required when an activity or event is large, complex and/or alcoholic beverages are to be served.

**DECORATIONS:** No decorations are to be hung, tacked, taped, or in any other way affixed to trees, shrubbery, fencing, or lamp posts on state property.

**WEAPONS:** Weapons are not permitted on state property except as provided by law (Penal Code Section 171b).

**FIRE:** Fire is not permitted on state property.

**INSURANCE:** Insurance may be required for events on state property. Additionally, a bond or deposit may be required to cover the cost of any potential damage to state property.

**SECURITY:** One (1) security person shall be designated for each fifty (50) persons expected to be in attendance. Each member of security shall wear a distinctive emblem, insignia, or article of wearing apparel at all times during the activity for identification purposes.

**POLITICAL FUNDRAISING:** Political fundraising is prohibited in or on state property by Government Code Section 84309.

**SIGNS, POSTERS, PLACARDS, BANNERS:**

Carrying, transporting or using signs, posters, placards, or banners exceeding thirty inches (30") by thirty inches (30") in size in or on any state building or grounds is prohibited unless prior written permission has been obtained from the CHP whose review, shall not be made on the basis of content.

The size of the handles or supports for such signs, posters, placards or banners shall be limited to one-fourth inch (1/4") in thickness by three-fourth (3/4") in width and shall extend no more than eighteen inches (18") beyond a single exterior edge of such sign, poster, placard or banner except with the prior written permission of the CHP. All such handles or supports shall be of wood without exception.

All such signs, posters, placards, or banners shall be hand carried and not in any way affixed, fastened, or attached to the premises; not self-supporting and placed for display; nor leaned against any wall, partition, or other portion of a state building or grounds. The carrying of such signs, posters, placards, or banners in a way that obstructs freedom of passage over or through, or in state buildings or grounds is prohibited.

**AMENDED PERMIT**  
**FOR ACTIVITY ON STATE PROPERTY**

Permit Number: \_\_\_\_\_ Amendment Number: \_\_\_\_\_

Permit number \_\_\_\_\_ dated \_\_\_\_\_ is hereby amended as mutually agreed to by \_\_\_\_\_ hereinafter referred to as Permittee, and the California Highway Patrol, hereinafter referred to as Department.

1. **PREMISES.** Subject to the terms and conditions contained in this permit, Permittee is hereby granted permission to hold the event described below at (insert address of state property).

Permittee's signature and entry onto premises constitute acceptance by Permittee of all terms and conditions of this permit.

2. **PURPOSE.** The sole purpose of this permit is to allow **Permittee temporary use of the premises for the purpose of (insert description).**
3. **TERM.** This permit shall commence at (insert time) on (insert date). Permit shall terminate upon completion of all conditions herein but shall not continue after (insert ending time), (insert date).
4. **NOTICES.** Notices desired or required to be given to Permittee by this permit or by any law now or hereinafter in effect may be given by enclosing the same in a sealed envelope, Registered Mail, Return Receipt Requested, addressed to the party for whom intended and depositing such envelopes with postage prepaid in the U.S. Post Office or any substation thereof, or any public letter box, and such notice and the envelope containing the same shall be addressed to Permittee as follows or such other place in California as may be hereinafter designated in writing by Permittee:

Name  
Organization  
Address  
City, State, Zip Code

Service shall be deemed complete within 48 hours of the time and date postmarked on the receipt provided by the U.S. Post Office when the envelope is first delivered to the U.S. Post Office. As an alternative, and at its sole discretion, the Department may elect to serve notices personally on Permittee or on any of the Permittee's designees listed below:

(Insert names)

Notices desired or required to be given to the Department by this permit or by any law now or hereinafter in effect may be given by enclosing same in a sealed envelope, Registered Mail, Return Receipt Requested, addressed to:

Commander  
California Highway Patrol  
Division Command Address

Deposit such envelope with postage prepaid in the U.S. Post Office or any substation thereof, or any public letter box. Service shall be deemed complete at the time and date the envelope is actually received by the commander.

5. OPERATIONAL RESPONSIBILITIES. The Permittee shall:

- A. Comply with and abide by all applicable rules, regulations and directions of the Department.
- B. Comply with all applicable county ordinances and all state and federal laws, and in the course thereof, obtain and keep in effect all permits and licenses required to conduct the permitted activities on the premises.
- C. Provide custodial services to the premises and maintain the area occupied in a clean and sanitary condition to the satisfaction of the Department.
- D. Conduct the permitted activities in a courteous and nonprofane manner; operate without interfering with the use of the facilities by the State of California, its employees and the public, except as herein permitted; and cause the removal of any agent, servant, or employee of the Permittee who fails to conduct the permitted activities in the manner heretofore described.

- E. Assume the risk of loss, damage, or destruction to any and all fixtures and personal property belonging to Permittee that are installed or placed within the area occupied.
  - F. Repair or replace any and all state property lost, damaged, or destroyed as a result of or connected with the conduct or activities of Permittee. Should Permittee fail to promptly make repairs, the Department shall contact the Department of General Services to have repairs made and the Permittee shall be responsible for the cost.
  - G. Pay charges for law enforcement services as deemed necessary by the Department.
  - H. Allow all employees of the Department or its designees to enter the premises at any time to determine compliance with the terms of this permit, or for any other purpose incidental to the performance of the responsibilities of the State of California.
  - I. Identify an authorized representative who will be available on the premises during the entire event. This person shall carry copies of this permit, for display upon request and have authority to alter or terminate the event at the direction of the Department.
  - J. Maintain liability insurance of not less than \$ \_\_\_\_\_ per occurrence for bodily injury and property damage liability.
  - K. Provide a bond (or deposit) in the amount of \_\_\_\_\_. Said bond (or deposit) will be returned to Permittee within two business days after the event unless the Department of General Services, Office of Buildings and Grounds, determines that payment for services or damages is necessary. An itemized invoice will be provided to the Permittee by the Office of Buildings and Grounds.
  - L. Provide one security personnel for each 50 participants. Security personnel shall wear an identifying emblem or I.D. and be aware of how to contact CHP officers if necessary.
6. ASSIGNMENT. The permit is not assignable. In the event Permittee attempts to assign or transfer the same in whole or part, all rights granted by this permit shall immediately terminate.



7. AUTHORITY TO STOP. In the event the Department finds that the Permittee is not in compliance with the terms and conditions of the permit, and/or activities being held on the premises unnecessarily endanger the health and safety of any persons on or near said property, the Department may require that this permit immediately be terminated.
8. DEFAULT. Permittee agrees that if default shall be made in any of the terms and conditions of the permit, the Department may revoke and terminate this permit.
9. CANCELLATION. Prior to commencement of the permitted event, the Department reserves the right to cancel this permit upon giving one day written notice to the Permittee without incurring any liability on the part of the Department and the State of California whatsoever.
10. STRUCTURES. Permittee is authorized the following on the premises.

(List authorized structures)

No other structures, tables, chairs, etc., may be installed on the premises unless they are specifically listed above or included on a subsequent amendment.

All structures, tables, chairs, etc., placed on the premises in accordance with this permit must comply with the same local building, fire, health, and safety ordinances that apply to private property.

11. AMENDMENTS. No alteration or variation of the terms and conditions of this permit shall be valid unless made in writing and mutually agreed to by the Permittee and the Department. **The Department reserves the right to amend or to further limit the terms of this permit at any time prior to its expiration time and date by giving written notice to Permittee or any of Permittee's designees as set forth in the amendments of this permit.**
12. VERBAL AGREEMENTS. No oral understanding or agreement not incorporated herein shall be binding on the Department.

13. NUMBER OF PARTICIPANTS. The number of persons participating in the event shall at no time exceed \_\_\_\_\_ persons. If the number of participants exceeds this amount, the Permittee may be charged the cost to provide additional security services.
14. AGENDA. Prior to commencement of this event, Permittee shall furnish the Department with an agenda of scheduled activities. Permittee shall not deviate from that agenda without first giving 48 hours notice to and obtaining an amended permit from the Department.
15. NOISE. At no time will the noise generated by this event exceed the limits set forth by local ordinance. In no case will the noise be allowed to reach a level that interferes with the operations or peace and quiet of neighboring state government offices.
16. TRASH REMOVAL. Permittee agrees to remove and properly dispose of all trash, garbage, etc., that has accumulated within the designated permit area, leaving the designated area in clean condition.
17. SOLICITING. Permittee is not a non-profit organization, therefore, Permittee agrees to refrain from soliciting contributions from the public.
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19. DETERMINATION OF DAMAGE TO BE COMPENSATED FOR. Damage to state property shall be assessed and determined by the Department and Department of General Services, Office of Buildings and Grounds. The Permittee shall be responsible for the following:
  - A. Replacement of damaged lawns.
  - B. Repair and cleaning of pavement.
  - C. Replacement of damaged plants in kind.
  - D. Replacement of damaged signs, irrigation systems, or any other structures that are damaged.

- E. All costs to clean up the grounds that are not adequately cleaned by the Permittee.
20. CALIFORNIA HIGHWAY PATROL (CHP) PERSONNEL. Permittee shall make arrangements in advance with the Department for additional CHP personnel deemed necessary by the Department. Permittee may be required to execute a reimbursable service agreement to pay for the CHP services.
21. ALCOHOLIC BEVERAGES. The Permittee is not granted permission to serve alcoholic beverages. If alcoholic beverages are to be sold, an alcoholic beverage license must be obtained from the Department of Alcohol Beverage Control with approval from the CHP.
22. RESTRICTIONS. (A, B, and C are only applicable if the serving of alcoholic beverages has been granted in paragraph 21.)
- A. Alcoholic beverages are not permitted to be served or consumed outside the designated area.
  - B. Alcoholic beverages will not be served to minors.
  - C. Alcoholic beverages will not be served to anyone who is intoxicated.
  - D. Banners, bunting, crepe paper, decorative tape and/or ribbon shall not be hung or tacked to trees, shrubbery, fencing, or lamp posts on state property.
  - E. Lit candles may not be carried on state property.
  - F. Chalk shall not be applied to drives, walks, or lawns.
  - G. Fire is not permitted on state property.
  - H. Ice used to cool food and beverages shall not be dumped on walks, drives, planting areas, or lawns. This policy includes ice cream and beverages.
  - I. Stanchions, stakes, tie down pegs, and all such devices shall not be placed in lawns, planting areas, walks, or drives on state property. Tents shall be secured with sandbags.

- J. Vehicles are not permitted on state property. Delivery vehicles, as designated, may be permitted as necessary. However, all such vehicles are required to have drip pans under the engines and transmissions and must leave the property as soon as the delivery is complete.
- K. Firearms and other dangerous weapons are strictly prohibited on all state property except as provided by law under Penal Code Section 171b.
- L. Adhesive-backed handout materials are prohibited from being distributed.

I have read and agree to the terms and conditions of this amendment to permit number \_\_\_\_\_. I hereby affirm that I am authorized to sign this document.

Permittee	California Highway Patrol
Name	Name
Title	Title
Address	Address
Signature	Signature
Date	Date

## STATE PROPERTY ACTIVITY LOG, CHP 391

STATE OF CALIFORNIA  
DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
**STATE PROPERTY ACTIVITY LOG**  
CHP 391 (New 12-87) OPI 065

MONTH		YEAR	<b>WHEN COMPLETED MAIL TO:</b>
AGENCY			
FACILITY ADDRESS			
CITY	STATE	ZIP CODE	

  

ORGANIZATION NAME	DATE	TIME	ORGANIZATION REPRESENTATIVE

FACILITY MANAGER'S SIGNATURE \_\_\_\_\_

Destroy Previous Editions

c391\_805.itp

**MEMORANDUM OF UNDERSTANDING  
FOR ACTIVITY ON CHP OWNED/LEASED PROPERTY**

Permit Number: \_\_\_\_\_ Amendment Number: \_\_\_\_\_

Permit number \_\_\_\_\_ dated \_\_\_\_\_ as mutually agreed to by \_\_\_\_\_ hereinafter referred to as Permittee, and the California Highway Patrol, hereinafter referred to as Department.

1. PREMISES. Subject to the terms and conditions contained in this permit, Permittee is hereby granted permission to hold the event described below at (insert address of state property).

Permittee's signature and entry onto premises constitute acceptance by Permittee of all terms and conditions of this permit.

2. PURPOSE. The sole purpose of this permit is to allow **Permittee temporary use of the premises for the purpose of (insert description)**.
3. TERM. This permit shall commence at (insert time) on (insert date). Permit shall terminate upon completion of all conditions herein but shall not continue after (insert ending time), (insert date).
4. NOTICES. Notices desired or required to be given to Permittee by this permit or by any law now or hereinafter in effect may be given by enclosing the same in a sealed envelope, Registered Mail, Return Receipt Requested, addressed to the party for whom intended and depositing such envelopes with postage prepaid in the U.S. Post Office or any substation thereof, or any public letter box, and such notice and the envelope containing the same shall be addressed to Permittee as follows or such other place in California as may be hereinafter designated in writing by Permittee:

Name  
Organization  
Address  
City, State, Zip Code

Service shall be deemed complete within 48 hours of the time and date postmarked on the receipt provided by the U.S. Post Office when the envelope is first delivered to the U.S. Post Office. As an alternative, and at its sole discretion, the Department may elect to serve notices personally on Permittee or on any of the Permittee's designees listed below:

(Insert names)

Notices desired or required to be given to the Department by this permit or by any law now or hereinafter in effect may be given by enclosing same in a sealed envelope, Registered Mail, Return Receipt Requested, addressed to:

Commander  
California Highway Patrol  
Division Command Address

Deposit such envelope with postage prepaid in the U.S. Post Office or any substation thereof, or any public letter box. Service shall be deemed complete at the time and date the envelope is actually received by the commander.

5. OPERATIONAL RESPONSIBILITIES. The Permittee shall:

- A. Comply with and abide by all applicable rules, regulations and directions of the Department.
- B. Comply with all applicable county ordinances and all state and federal laws, and in the course thereof, obtain and keep in effect all permits and licenses required to conduct the permitted activities on the premises.
- C. Provide custodial services to the premises and maintain the area occupied in a clean and sanitary condition to the satisfaction of the Department.
- D. Conduct the permitted activities in a courteous and nonprofane manner; operate without interfering with the use of the facilities by the State of California, its employees and the public, except as herein permitted; and cause the removal of

any agent, servant, or employee of the Permittee who fails to conduct the permitted activities in the manner heretofore described.

- E. Assume the risk of loss, damage, or destruction to any and all fixtures and personal property belonging to Permittee that are installed or placed within the area occupied.
- F. Repair or replace any and all state property lost, damaged, or destroyed as a result of or connected with the conduct or activities of Permittee. Should Permittee fail to promptly make repairs, the Department shall contact the Department of General Services to have repairs made and the Permittee shall be responsible for the cost.
- G. Pay charges for law enforcement services as deemed necessary by the Department.
- H. Allow all employees of the Department or its designees to enter the premises at any time to determine compliance with the terms of this permit, or for any other purpose incidental to the performance of the responsibilities of the State of California.
- I. Identify an authorized representative who will be available on the premises during the entire event. This person shall carry copies of this permit, for display upon request and have authority to alter or terminate the event at the direction of the Department.
- J. Maintain liability insurance of not less than \$\_\_\_\_\_ per occurrence for bodily injury and property damage liability.
- K. Provide a bond (or deposit) in the amount of \_\_\_\_\_. Said bond (or deposit) will be returned to Permittee within two business days after the event unless the Department of General Services, Office of Buildings and Grounds, determines that payment for services or damages is necessary. An itemized invoice will be provided to the Permittee by the Office of Buildings and Grounds.
- L. Provide one security person for each 50 participants. Security personnel shall wear an identifying emblem or I.D. and be aware of how to contact CHP officers if necessary.



6. ASSIGNMENT. The permit is not assignable. In the event Permittee attempts to assign or transfer the same in whole or part, all rights granted by this permit shall immediately terminate.
7. AUTHORITY TO STOP. In the event the Department finds that the Permittee is not in compliance with the terms and conditions of the permit, and/or activities being held on the premises unnecessarily endanger the health and safety of any persons on or near said property, the Department may require that this permit immediately be terminated.
8. DEFAULT. Permittee agrees that if default shall be made in any of the terms and conditions of the permit, the Department may revoke and terminate this permit.
9. CANCELLATION. Prior to commencement of the permitted event, the Department reserves the right to cancel this permit upon giving one day written notice to the Permittee without incurring any liability on the part of the Department and the State of California whatsoever.
10. STRUCTURES. Permittee is authorized the following on the premises.

(List authorized structures)

No other structures, tables, chairs, etc., may be installed on the premises unless they are specifically listed above or included on a subsequent amendment.

All structures, tables, chairs, etc., placed on the premises in accordance with this permit must comply with the same local building, fire, health, and safety ordinances that apply to private property.

11. AMENDMENTS. No alteration or variation of the terms and conditions of this permit shall be valid unless made in writing and mutually agreed to by the Permittee and the Department. *The Department reserves the right to amend or to further limit the terms of this permit at any time prior to its expiration time and date by giving written notice to Permittee or any of Permittee's designees as set forth in the amendments of this permit.*

12. VERBAL AGREEMENTS. No oral understanding or agreement not incorporated herein shall be binding on the Department.
13. NUMBER OF PARTICIPANTS. The number of persons participating in the event shall at no time exceed \_\_\_\_\_ persons. If the number of participants exceeds this amount, the Permittee may be charged the cost to provide additional security services.
14. AGENDA. Prior to commencement of this event, Permittee shall furnish the Department with an agenda of scheduled activities. Permittee shall not deviate from that agenda without first giving 48 hours notice to and obtaining an amended permit from the Department.
15. NOISE. At no time will the noise generated by this event exceed the limits set forth by local ordinance. In no case will the noise be allowed to reach a level that interferes with the operations or peace and quiet of neighboring state government offices.
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